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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,710	12/12/2003	Gek Hoon Quat	006404.P013	2360

7590 09/11/2008
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EXAMINER

FLANDERS, ANDREW C

ART UNIT

PAPER NUMBER

2615

MAIL DATE

DELIVERY MODE

09/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/734,710

Applicant(s)

QUAT ET AL.

Examiner

ANDREW C. FLANDERS

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 June 2008 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because Fig. 3 does not include legends. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

The drawings filed 11 June 2008 place Figures 1, 2 and 4 in compliance.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendments to the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 - 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lian (U.S. Patent 2006/0161281) in view of Nagura (U.S. Patent 6,109,797).

Regarding **Claim 1**, Lian discloses:

A connection for audio transfer (Fig. 6), the connection comprising:

(a) a first operative connection (element 22) to a first audio reproduction device (element 10), the first audio reproduction device including an audio (i.e. module 10 has function controls known to play back audio; para 17).

Lian fails to explicitly disclose that the first operative connection is a first cable. However, using cables in sockets and connecting devices using cables is notoriously well known in the art. Nagura discloses a plug-jack type device that couples typical USB/1394 devices (see all of the figures, but particularly fig. 11). Replacing these plugs with the connector of Lian and using Lians cables would have been obvious to one of ordinary skill in the art. One would have been motivated to do so to allow additional space between the devices taught by Lian, for example when connecting to a computer and one wishes to have access to the device, one would not need to reach all the way to the computer base to retrieve the usb connection as a wire would extend the device to the user. This would also be useful for the battery pack implementation in Fig. 6 for similar extension purposes. Furthermore applying the cable of Nagura to Lian would result in applying a known technique to a known device ready for improvement to yield

predictable results. Cable connections are well known in the art and have been used to connect electronic devices for many years in varying arrangements.

The combination further discloses:

- (a) a first cable (the cable in Nagura as applied to the sockets of Lian);
- (b) a first connector at an end of the first cable (i.e. the connector at the end of Lian's cable) remote from the first audio reproduction device (i.e. the cable connector of Lian is at the end opposite of the cable connected to Nagura);
- (c) a second cable for operative connection to a second audio reproduction device (i.e. another of Nagura's cables connected to 16 of Fig. 6 in Lian)
- (d) a second connector (i.e. the connector at the end of Lian's second cable) at an end of the second cable remote from the second audio reproduction device (i.e. at the opposite end of device 16 in Fig. 6 of Lian);
- (e) the first connector being able to operatively connect with the second connector (Nagura only shows one cable connecting the two devices, however Examiner takes official notice that cable extenders and cables with male or female ends are notoriously well known in the art. For Example Bruno US 2002/0081878 discloses a cable extender with female connectors. Lee US 2005/0009404 shows two usb cables adapted to connect to each other, one with a male connector component and one with a female connector component. Modifying the cables in the combination allows a user to connect a plurality of peripheral device in a compact and convenient manner; para 46 of Burno) to enable audio transfer from the audio player (10) to the second audio reproduction device (16 which includes attached headphones at port 14), and to

operatively connect with a host for audio transfer between the host and the audio player (i.e. 10 of Lian can connect to a PC for audio data transmission).

The combination further discloses:

wherein the first audio reproduction device and the second audio reproduction device are mutually engaged with one another (when the connection is made between 10 and 16 as shown above, the devices become 'engaged' with each other and thus can be said to be 'mutually engaged.' Additionally, the connection of these two components is performed the same as shown in Applicant's figures, the two cables connecting the two devices, the connection creating the 'mutal engagement').

Regarding **Claim 2**, in addition to the elements stated above regarding claim 1, the combination further discloses:

wherein the audio player is an MP3 player (para 24 of Lian).

Regarding **Claim 3**, in addition to the elements stated above regarding claim 1, the combination further discloses:

wherein the first and second audio reproduction devices are each selected from the group of: an earpiece of a headphone set and a speaker (i.e. element 24 and element 16 of Lian are both adapted to have a headphone socket, connecting a headphone to these two devices essentially creates a single device with a headphone affixed thereto).

Regarding **Claims 4 and 5**, in addition to the elements stated above regarding claim 1, the combination further discloses:

wherein the first connector is a male/female connector and the second connector is a male/female connector (Nagura only shows one cable connecting the two devices, however Examiner takes official notice that cable extenders and cables with male or female ends are notoriously well known in the art. For Example Bruno US 2002/0081878 discloses a cable extender with female connectors. Lee US 2005/0009404 shows two usb cables adapted to connect to each other, one with a male connector component and one with a female connector component. Modifying the cables in the combination allows a user to connect a plurality of peripheral device in a compact and convenient manner; para 46 of Burno).

Regarding **Claims 6 - 9**, in addition to the elements stated above regarding claims 1 and 5, the combination further discloses:

wherein the first connector is a USB/1394 connector and the second connector is an USB/1394 connector (i.e. USB or IEEE 1394 connections; para 20 of Lian and all figs of Nagura).

Regarding **Claim 10**, in addition to the elements stated above regarding claim 1, the combination further discloses:

wherein the host is a computer (i.e. connecting Lian device to a PC).

Regarding **Claim 11**, in addition to the elements stated above regarding claim 1, the combination further discloses:

wherein a controller of the audio player determines an operating mode based on a power supply detected (i.e. the device determines an operating mode based on the voltage detected; para 22 of Lian).

Regarding **Claim 12**, in addition to the elements stated above regarding claim 11, the combination further discloses:

wherein the operating mode is one of: download, upload, and play (Lian is able to transfer to and from a PC as well as play back; pars 22 - 24).

Regarding **Claim 13**, in addition to the elements stated above regarding claim 11, the combination further discloses:

wherein the power supply is one of: batteries, and power from the hose (i.e. using the battery pack to charge; para 22).

Claims 14 – 27 are rejected under the same grounds as claims 1 – 13 stated above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ANDREW C. FLANDERS** whose telephone number is (571)272-7516. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Suhan Ni can be reached on (571) 272-7505. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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